

PLANNING COMMISSION MINUTES

January 19, 2000

CALL TO ORDER: Chairman Maks called the meeting to order at 7:00 p.m. in the Beaverton City Hall Council Chambers at 4755 SW Griffith Drive.

ROLL CALL: Present were Chairman Dan Maks; Planning Commissioners Tom Wolch, Sharon Dunham, Eric Johansen, Betty Bode and Charles Heckman. Vlad Voytilla was excused.

Staff was represented by Principal Planner Hal Bergsma, Associate Planner Colin Cooper, Senior Planner Barbara Fryer, and Recording Secretary Sandra Pearson.

Observing that Senior Planner Barbara Fryer and Principal Planner Hal Bergsma are present to discuss a continuance of the hearing on CPA99-00025 – COMPREHENSIVE PLAN LAND USE ELEMENT, Chairman Maks reverted to New Business in order that this issue can be quickly resolved.

NEW BUSINESS:

PUBLIC HEARINGS

Chairman Maks opened the public hearing and read the format for the meeting. There were no disqualifications of the Planning Commission members. No one in the audience challenged the right of any Commissioner to hear any agenda items.

A. CPA99-00025 – COMPREHENSIVE PLAN LAND USE ELEMENT

The proposed amendment partially implements Periodic Review Order #00717, Work Tasks 2, 9, 10, and 11 and proposes to replace the existing Land Use Element of the Comprehensive Plan. The proposal intends to complete Metro requirements related to land use requirements in local jurisdiction comprehensive plans. Both map and text changes will be included in the proposal.

Senior Planner Barbara Fryer discussed the proposed amendment, and requested a continuance allowing additional time. She noted that the amendment includes retaining much of existing text in completely revised format which will appear quite a bit different, adding that following a work session in July 1999, staff developed modified land use designations. She requested a continuance until March 15, 2000.

Chairman Maks informed the commissioners that they can e-mail staff with any comments or concerns regarding the amendment.

Chairman Maks asked if there were any further questions. There being no members of the public in the audience to address this application, this portion of the hearing was closed.

Commissioner Johansen MOVED and Commissioner Heckman SECONDED a motion to continue CPA99-00025 – COMPREHENSIVE PLAN LAND USE ELEMENT, to a date certain of March 15, 2000.

The question was called and the motion CARRIED unanimously.

OLD BUSINESS:

Continuances

PUBLIC HEARINGS

Chairman Maks questioned Associate Planner Colin Cooper, AICP, regarding whether he prefers to address the public hearings on SV98-00001 - FIRST BAPTIST STREET VACATION and CUP99-00011 – FIRST BAPTIST EXPANSION separately or together. Mr. Cooper responded that addressing both issues together should be beneficial.

Chairman Maks opened the public hearing and read the format for the meeting. There were no disqualifications of the Planning Commission members. No one in the audience challenged the right of any Commissioner to hear any agenda items.

A. SV98-00001 - FIRST BAPTIST STREET VACATION

(Continued from January 5, 2000)

Request to vacate a public right-of-way between properties owned by the First Baptist Church of Beaverton at 5755 SW Erickson Avenue. The applicant request to vacate the unnamed roadway, approximately 540 feet long and 25 feet wide, in order to allow for future use of the roadway by the church. The site is within the R-7 zone. The site is located on the West Side of SW Erickson, north of SW Allen Boulevard and south of SW Berthold, and is approximately 4.03 acres in size. Map 1S1-16DC; Tax Lots 4700, 4800 & 4803.

B. CUP99-00011 - FIRST BAPTIST EXPANSION

(Continued from January 5, 2000)

Request for approval for expansion of the First Baptist Church located at 5755 SW Erickson Avenue. The church is located in the R-7 zone where churches and their accessory uses are permitted through a CUP approval. The expansion proposal includes approximately 15,000 square feet of additions to the existing facility; including offices, classrooms, a kitchen area, a multi-purpose room, and

additional parking. The site is approximately 4.03 acres in size. Map 1S1-16DC, Tax lots 4700, 4800 & 4803.

Commissioner Maks questioned whether a video of the site is available and was informed that the camcorder is not working at the present time.

On question, all commissioners informed Chairman Maks that they had visited the site. Commissioner Maks observed that he had also visited the site. The Staff Report was presented by Associate Planner Colin Cooper, who introduced Transportation Planner/Project Engineer Sean Morrison and briefly reviewed the public hearing that entertained the possibility of the of the street vacation originally, on June 9, 1999. He mentioned that at that time there had been a great deal of discussion regarding connectivity and block length and the preservation of that opportunity for the future, adding that at the direction of the Planning Commission, the applicant had requested a continuance in order to work with staff for alternatives to preserve that connectivity opportunity. He noted that the existing application had been to vacate the existing right-of-way without providing for any rededication, adding that the staff had changed their recommendation to approval of the vacation with a rededication of the right-of-way of the southwest corner of the site, thereby meeting the intent of the Planning Commission for the opportunity for future development. The right-of-way dedication could allow for connection with SW Bonnie Brae and SW Larson Street and continued expansion of the church. He observed that although the church CUP had not been received in July 1999, the CUP application has now been received and deemed complete. The CUP application requests a 15,000 square foot expansion of their existing 10,000 square foot church, which is entirely composed of classrooms, office space and a multi-purpose room to alleviate the overcrowding and difficulty in scheduling they are currently experiencing. Although they are not proposing any increase in their worship center, they are requesting an expansion of their existing parking lot by 70 spaces. The staff recommendations provide for approval for both of these actions, adding that with the street vacation they are conditioning the rededication of property and recordation of a pedestrian easement from SW Erickson Street to Schiffler Park, where there is currently an entrance in order to preserve that level of connectivity for the future with regard to the Conditional Use Permit. He noted that the staff has found no conflicts with the surrounding residential area, adding that the traffic report indicates that no adverse conditions will be created on the surrounding roadways. No additional conditions are proposed for the Conditional Use Permit, other than recording with Washington County.

Commissioner Johansen questioned whether the renotification on November 15, 1999 mentioned any potential future access being relocated and Mr. Cooper informed him that he would obtain this information prior to staff remarks. He also responded that there had been no adverse response from any of the public, who was notified by mailings to residents within 500 feet of the church site,

publication in the newspaper, and posting of the property. He mentioned that when applicant requests a continuance, staff policy requires a new notice.

Commissioner Heckman referred to page 5 of the CUP Staff Report and questioned adding 70 parking spaces and whether the lot is now filled to capacity. Mr. Cooper observed that at 106 current spaces, the church already exceeds their required 90 parking spaces, although he has no information on how crowded the lot currently is. Commissioner Heckman referred to page 15 of the CUP Staff Report and a 1980 approval of an expansion and was informed by Mr. Cooper that because that 1980 expansion had not been completed, it failed after a period of two years. Commissioner Heckman referred to the last paragraph on page 15 of the Staff Report, noting that commissioners had not received background materials pertaining to Staff's recommended adoption of conditions of approval. Mr. Cooper observed that a facilities review has no authority on a CUP, so therefore there are no conditions of approval from staff. He mentioned that the Facilities Review Committee would have the Board of Design Review conditions to meet all necessary technical requirements, adding that the recommendations will be made to the Board at a later time. Chairman Maks informed Commissioner Heckman that Code Review Committee plans to review the Code Text for Conditional Use Permits starting Tuesday, January 25, 2000, emphasizing the need to see Facilities Review at Commission. Commissioner Heckman referred to page 19 of the CUP Staff Report, observing that Staff had explained very clearly why the property involved is not subject to the buildable land inventory. Commissioner Heckman complimented the entire Staff Report, which had contained a lot of good information. Commissioner Heckman referred to page 21 and questioned the reason the applicant is conditioned to dedicate an additional 7 feet of right-of-way along the SW Erickson Avenue frontage, and Mr. Cooper informed him that this condition will be a concern of the Board of Design Review and explained the City's policy to require dedication when expanding a facility as a commensurate impact to the system, although there may not be a required improvement to that right-of-way. Commissioner Heckman referred to page 25, noting that the need for street trees will be evaluated during the Design Review process. He expressed approval that the play fields and open space surrounding the church have provided visual relief and landscape buffering for the surrounding residential community. He noted that on page 29, the discussion stated that Mr. Dalby indicted, rather than indicated, and that this should be corrected. Commissioner Heckman commended Mr. Cooper on the excellent Staff Report.

Commissioner Tom Wolch questioned conditions on the street vacation and whether conditions can be imposed upon a street vacation as with a Conditional Use Permit, emphasizing that the ownership of the road should be taken into consideration. Mr. Cooper responded that the City's legal staff had advised him that because this is a land use action and one can not occur without the other – it would have to be dedicated prior to the street vacation becoming effective.

Chairman Maks questioned increasing parking spaces and Mr. Cooper informed him that this is allowed within the Conditional Use Permit, adding that this particular application was received prior to guidelines relating to minimums and maximums and that the new code would require remaining within those limits. Chairman Maks expressed his concern with notification and legal requirements, emphasizing the importance of ensuring that legal requirements have been met. Mr. Cooper noted that the renotification most likely did not include all necessary information concerning the condition for the church to dedicate a new right-of-way at the southwest corner of the church property.

Spencer Vail, 4505 NW 24th Avenue, Portland introduced himself and Pastor Norm Langston, 6855 SW Larkspur Place, Beaverton, who discussed their application and their efforts to work out a compromise between the church, the community and the commission. Noting that they had reviewed all relevant data and Staff Reports, Mr. Vail concurred with the findings and conclusions of the staff report, adding that he would like to present an overview of the proposal and allow opportunity for questions, adding that the architect is here to represent Stein Engineering is here to answer any technical questions. He stated that the 1st Baptist Church has been at this location since the early 1950's, and explained the necessity for expansion, adding that this does not increase the seating capacity for the church. He mentioned that the church serves a Korean congregation and a Hispanic congregation, as well as several others. He stressed that the existing parking is fully utilized and observed that the increased parking merely provides for paved parking for those who are currently parking in the mud and in a field, and would help to alleviate any traffic overcrowding in the neighborhood. The street vacation allows for more latitude for design within the church complex currently and in the future. He mentioned that a traffic report had been prepared indicating no adverse impact on the community. He mentioned five options that had been presented for rededication for this portion of the street, adding that several meetings with Staff had resulted in the adoption of Option 1A, which provides for the SW corner making a direct connection to Bonnie Brae and vacating the street, and eventually providing that Bonnie Brae loop through and use Larson Street, if that occurs, rather than the unknown street that goes through the middle of the property, adding that necessary objectives have been met in this proposal. He pointed out that most vehicles will access through Bonnie Brae, which is a wide, improved street, and that this has been the City's intent and that future options are still available. He expressed his opinion that the neighborhood will not be affected, urging that the street vacation and Conditional Use Permit be granted and indicated that the applicant would be happy to answer any questions. On question, Mr. Langston reported that the parking lot is filled to capacity with vehicles also parking in other areas.

Chairman Maks questioned Scott Miller, Traffic Analyst representing Stein Engineering, 8196 SW Hall Boulevard, Suite 308, asking what the peak number of vehicles will be entering the site at worship times, emphasizing that he wants to avoid "stacking", which forces other vehicles to utilize circuitous routes. Mr.

Miller referred to Figure 3A of the Traffic Report, which indicates that the existing Sunday peak hour traffic volume is 34 vehicles heading north and 20 vehicles heading south, and that the same volume is also exiting. Chairman Maks questioned the width of the access driveway and was told that is presently about 24 feet and that the proposal will increase it to 40 feet. On question, Mr. Vail informed Chairman Maks that while there is no “stacking” occurring on Erickson, it does occur within the property itself. Chairman Maks observed that the neighborhood meeting, which included only two people, had been held prior to the application and that the neighbors may not be fully informed of all aspects of these applications.

Commissioner Heckman referred to the church membership of 893 and was informed by Pastor Langston that this total includes approximately three hundred inactive members, and that it is expected that the congregation will continue to grow with the expansion, taking into consideration the availability of educational opportunities and classroom space that will make that possible. Commissioner Heckman observed that the traffic would grow along with the congregation.

Commissioner Heckman mentioned Option 1.A., which the church requests they adopt, and questioned whether the church currently owns the lot and building on Larson Street, as shown within the option. Pastor Langston mentioned past negotiations with an adjoining property owner, Eric Wells, mentioning installation of a sewer, and added that they are not currently negotiating for that property or any other property.

Chairman Maks questioned the approximate distance from the occupant’s structure on Larson to this new right-of-way and Mr. Cooper reported that it is a distance of 35 feet.

Rob Criswell, 13225 SW Larson Street, mentioned that although the street vacation will not affect him, the building design will affect his back yard, particularly the day care area, which will actually overlook his back yard. He requested that there be some sort of a wall placed to remedy this issue and expressed his concern that this busy area be properly contained and children be properly supervised. On question, Mr. Criswell informed Commissioner Heckman that his lot sits just below the perimeter of the church and that he estimates that the proposed building will be elevated approximately five feet above his own property. Commissioner Bode questioned exactly what would satisfy his concerns, and was informed that he would like consideration of a fence, barricade or even a visual barrier. He noted that he had had to get rid of his dog because children at the church were throwing rocks at it. Commissioner Wolch questioned any future effect of the street and Mr. Criswell informed him that the changes would not be excessive. Chairman Maks advised Mr. Criswell to keep in mind that future plans provide that Menlo Street is to be connected to Erickson Street. On question, Mr. Criswell explained the positioning of the day care to Commissioner Dunham.

Chairman Maks asked if there were any further questions. There being no members of the public in the public to address this application, this portion of the hearing was closed.

Mr. Vail discussed the issue of the yard setback mentioned by Mr. Criswell, noting that amendments had been made and that there are no longer any doors on the south side of the building and that the site plan he has does not match the actual elevation. Pastor Langston observed that the building will be set back 15 feet further and stressed that Mr. Criswell had been a good and tolerant neighbor and that they are attempting to work with him.

Noting that additional information had been offered, Chairman Maks informed Mr. Criswell that he will have an opportunity for rebuttal.

Mr. Cooper pointed out that conditions could be made for a visual barrier or that this could be resolved in the Design Review application.

Sean Morrison, Transportation Engineer, emphasized that the commissioners are not being asked at this time to evaluate or approve any of the options, which were only provided to provide some detail to the commissioners. He noted that the right-of-way dedication preserves the option for future street extension in lieu of the existing right-of-way. Chairman Maks questioned whether all of the options are still viable, and Mr. Morrison observed that the church has shown several options for future expansion. Chairman Maks questioned exactly what is being dedicated and where, and Morrison informed him that it is a rectangular portion of land located at the SW corner of the property, approximately 50 feet wide and 170 feet long. On question by Chairman Maks, Mr. Cooper noted that the notice had made no mention of the rededication, adding that this had been impossible because this is a condition that had been imposed following the notice. Commissioner Heckman explained to the audience that the condition imposed provides that the church dedicate the property for future right-of-way. Mr. Cooper assured Commissioner Heckman that residents would be notified of any future developments on this issue. On question, Mr. Cooper informed Commissioner Maks that the property is located within the R-7 Zone and that any construction will be required to comply with height restrictions of 30 feet, which does not exceed the height of a 2-story residence.

Chairman Maks asked if there were any further questions. There being no members of the public in the audience to address this application, this portion of the hearing was closed.

Commissioner Dunham expressed approval of the street vacation, comparing it to an exchange of right-of-way. She expressed her opinion that the Conditional Use Permit meets the necessary criteria, and expressed approval of the Conditional Use Permit.

Commissioner Heckman expressed approval of the street vacation and the Conditional Use Permit.

Commissioner Wolch expressed approval of the street vacation and expressed his opinion that the Conditional Use Permit meets the necessary criteria, and expressed approval of the Conditional Use Permit. He suggested that the Board of Design Review be involved in the visual barrier.

Noting that although she has served on the Human Rights Commission for the City of Beaverton, she is new to the Planning Commission. Commissioner Bode stressed that she has read all of this material and agrees that neighbors should always be informed of any changes or action without having to attend a public meeting. She expressed approval of the church expansion, adding that she does not yet feel knowledgeable enough to vote on issues such as these. She emphasized the necessity of enhancing the lives of residents of the City, adding that she hopes the church and residents continue to practice good fellowship.

Commissioner Johansen concurred with the comments of other commissioners and expressed concern with the notification process, adding that he is slightly uncomfortable with the notification received by the residents of Larson Street. He expressed approval of the street vacation and Conditional Use Permit.

Chairman Maks expressed his approval of the great things this church offers and accomplishes within the community, adding that this is a good compromise between the community and the church. He expressed approval of the street vacation and the Conditional Use Permit, adding that it appears to meet all necessary criteria. He requested that the screening issue be addressed with the Board of Design Review.

Commissioner Heckman MOVED and Commissioner Dunham SECONDED a motion to approve SV98-00001 – FIRST BAPTIST STREET VACATION, as meeting the criteria as indicated in the Staff Report dated January 19, 2000.

The question was called and the motion CARRIED. Commissioner Bode abstained from voting on this issue.

Commissioner Heckman MOVED and Commissioner Johansen SECONDED a motion to approve CUP99-00011 – FIRST BAPTIST EXPANSION, based on the findings of fact, with conditions 1 and 2, and respectfully recommended sending a memo to the Board of Design Review to seriously consider some type of sound and/or vision barrier behind the lots to the south of the property.

The question was called and the motion CARRIED. Commissioner Bode abstained from voting on this issue.

Chairman Maks called for a three-minute recess at 8:40 p.m.

NEW BUSINESS**PUBLIC HEARINGS****A. CUP99-00017 – PILGRIM LUTHERAN CHURCH GYM ADDITION**

Request for approval to expand the Pilgrim Lutheran Church located at 5650 SW Hall Boulevard. A Conditional Use Permit (CUP) application will be heard before the Planning Commission to review the expanded use of the site. The church is located in the R-2 zone where churches and their accessory uses are permitted through a CUP approval. The expansion proposal includes approximately 3,800 square feet of remodeling to their existing facility. The proposal is expected to be completed in two phases. The site is located at the northeast corner of SW Hall Boulevard and SW 12th Street, and is approximately 2.06 acres in size. Map 1S1-15CC, Tax lot 3000.

Mr. Cooper, who stated that the applicant has requested a continuance until January 26, 2000, adding that they had waived the extra time consideration, presented the Staff Report.

Commissioner Wolch MOVED and Commissioner Johansen SECONDED a motion to continue CUP99-00017 – PILGRIM LUTHERAN CHURCH GYM ADDITION, to a date certain of January 26, 2000.

The question was called and the motion CARRIED unanimously.

C. TA99-00013 – REGIONAL CENTER/TRANSPORTATION SYSTEM PLAN EDIT TEXT AMENDMENT

The proposed amendments implement Periodic Review Order #00717, Work Task #10: Transportation System Plan Implementing Ordinance Amendment to the Development Code. The proposed amendment will add the requirement of extending public facilities, including but not limited to roads, water, and sewer, and development occurs within the Regional Center – Transit Oriented (RC-TO), Regional Center – Old Town (RC-OT), and Regional Center – East (RC-E) zoning districts. The proposed amendment will also allow, where physical or topographical conditions make extension of public facilities impracticable, a payment of a cash in lieu fee.

Chairman Maks opened the public hearing and read the format for the meeting. There were no disqualifications of the Planning Commission members. No one in the audience challenged the right of any Commissioner to hear any agenda items.

Mr. Cooper, who noted that the code amendment is related to the transportation system plan, presented the Staff Report. He observed that this is merely a housekeeping matter referring to the extension of facilities.

Commissioner Wolch questioned a cash payment in lieu of extension, and staff discussed how funds are distributed to a dedicated fund. Mr. Cooper stated that he has no specific answer at this time, adding that he will find out.

Chairman Maks asked if there were further questions. There being no members of the public in the audience to address this amendment, this portion of the hearing was closed.

Commissioner Johansen MOVED and Commissioner Dunham SECONDED a motion to approve TA99-00013 – REGIONAL CENTER/TRANSPORTATION SYSTEM PLAN EDIT TEXT AMENDMENT, based on the findings of fact.

The question was called and the motion CARRIED unanimously.

MINUTES:

Chairman Maks asked about changes or corrections to the minutes of December 8, 1999. Being none, the minutes of December 8, 1999, were approved as written, unanimously, with the exception of Commissioner Bode, who abstained from voting on this issue.

MISCELLANEOUS BUSINESS:

Observing that we are currently in the flu season, Chairman Maks urged Commissioners to contact him and Robyn if unable to attend a meeting so that he can be sure of having a quorum.

Chairman Maks requested that Mr. Cooper instruct Robyn or Irish to contact the alternate member of the Planning Commission, Abhay Thatte, who has now missed three meetings, to determine what his intentions are.

Commissioner Johanson requested that Commissioners receive a new, updated commission roster and staff roster. Commissioner Heckman requested that telephone numbers be included. Commissioner Dunham requested that Staff Reports include responsible staff members names, titles and telephone numbers for contacts by the Commissioners.

At the request of Chairman Maks, Commissioner Bode introduced herself, adding that she serves on other public entities, teaches at a community college, owns a home in Beaverton and takes an interest in the future of Beaverton. Commissioner Maks welcomed her to the Planning Commission.

On request, Mr. Cooper informed Chairman Maks that the only Public Hearing scheduled for next week involves the Conditional Use Permit Application for the Pilgrim Lutheran Church Gym Addition.

Meeting adjourned at 9:55 p.m.